

SUPREME COURT OF THE STATE OF NEW YORK,

County of ~~New York~~ KINGS

YEHUDA HERSKOVIC

Plaintiffs,

—against—

VERIZON WIRELESS

Defendants.

Summons

Index No. 1251-19

The summons was filed on [month, date, year]

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED and required to appear in this action by serving a copy of your notice of appearance upon the undersigned within twenty (20) days after the service of this summons, exclusive of the day of service, or within thirty (30) days after service is complete, if this summons is not personally delivered to you within the state of New York. In case of your failure to answer, judgment will be taken against you by default for the relief demanded in the complaint.

Take notice that the object of this action and the relief sought is as follows:

*[With respect to each cause of action to be asserted (a) separately state and describe it in summary fashion, and (b) state the amount of monetary damages sought (unless this is an action for medical malpractice or against a municipality), or other relief to be sought].* In case of your failure to appear, judgment will be taken against you by default for [state the monetary damages and/or other relief sought under all causes of action], together with costs and disbursements of this action.

The basis of the venue designated is [(plaintiff's residence or address) or (specify 2 other basis of venue under N.Y. C.P.L.R. Article 5, e.g., residence of the defendant, plaintiff's designation pursuant to N.Y. C.P.L.R. 503(a), etc.)].

Dated, 03 / 26 / 2019, New York

<sup>1</sup> Summons and notice.—See CPLR 305(b).

Notice in matrimonial actions.—See DRL § 232(a).

KINGS COUNTY RECEIVED CLERK  
2019 MAR 28 PM 2:35

[month, date, year]

(Print name) *YEHUDA HORSKOVIC*

Attorney for Plaintiffs

Address: *225 Ross Str Brooklyn NY 11211*

Telephone Number: *347 731 8818*

TO THE ABOVE NAMED DEFENDANTS:

TAKE NOTICE that this is an action for (*set forth nature of action*) personal injuries sustained by the plaintiff [*name of plaintiff*], caused by defendants' negligence; (*set forth relief sought*) the relief sought is recovery of money damages for plaintiff's injuries, pain and suffering, medical expenses, loss of present and future earnings, and for plaintiff's loss of services, companionship, support and consortium;<sup>2</sup> (*unless the action is for medical malpractice, set forth the sum of money for which judgment may be taken in case of default*) in case of your failure to appear, judgment may be taken against you for \$[*amount*], with interest, from [month, date, year], together with the costs and disbursements of this action.<sup>3</sup>

Dated, 03 / 26 / 2019, New York

[month, date, year]

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(Print name)

Attorney for Plaintiffs

Address:

Telephone Number:

Bender's Forms for the Civil Practice

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<sup>2</sup> Required specificity.—See Weinstein, Korn, & Miller, New York Civil Practice—CPLR ¶305.12a.

<sup>3</sup> Notice of amount.—The figure appearing in the notice limits the amount the court may enter as judgement upon default. It does not, however, limit the amount that may be demanded in a complaint subsequently served. See Weinstein, Korn, & Miller, New York Civil Practice—CPLR ¶305.13.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ~~QUEENS~~ Kings



YEHUDA HERSKOVIC Plaintiff,

Index No. 1251 12019

- against -

VERIFIED  
COMPLAINT

VERIZON WIRELESS

Defendant.

TO THE SUPREME COURT OF THE STATE OF NEW YORK

The complaint of the plaintiff, YEHUDA HERSKOVIC, respectfully shows and alleges as follows:

ON THE DATE OF 12/27/2017 I WENT IN TO THE VERIZON WIRELESS STORE ON 100 WALL STR NEW YORK N.Y. 10005, AND MADE A CONTRACT FOR A HOME DEVICE TO HAVE PHONE SERVICE WITH THE NUMBER 718-387-4565 AND THE CONTRACT WAS FOR TWO YEARS, AFTER ABOUT A MONTH I STARTED TO HAVE DIFFICULTIES WITH THE SERVICE, PEOPLE ON THE OTHER END COLD NOT HEAR ME AND CALLS WERE DROPPED IN MIDDLE OF A CONVERSATION THEN I CALLED THE COMPANY VERIZON WIRELESS AND THEY TRIED TO FIX IT BUT IT WAS NOT HELPING TO MUCH IT KEPT ON AN ON AND I KEAP CALLING AND COMPLAINING THEY STATED THAT NOTHING IS WRONG AND THE SAME PROBLEM WAS GOING ON AND ON I REALLY GOT TIRED OF THE SITUATION, AND ON THE DATE OF DEC/10/2018 I SPOKE TO A CUSTOMER SERVICE AND SHE TRANSFERRED ME TO A SUPER VISOR AND TOLD THEM THAT I CANNOT GO ON WITH THIS NO SERVICE AND DIFFICULTIES I NEEDED PROPER SERVICE AND I ASKED

PERMISSION TO CANCEL THE CONTRACT AND GO TO A OTHER  
PROVIDER AND COMPANY WHO CAN GIVE ME PROPER  
SERVICE THE SUPERVISOR AGREED WITH ME AND SAID  
SHE WILL WAIVE THE DISCONNECTION FEE SO I WENT  
TO ANOTHER COMPANY AT&T WITH THE SAME  
SERVICE AND SAME WIRELESS DEVICE FOR HOME  
SERVICE AND SWITCH THE SERVICE TO AT&T WIRELESS  
ATT THE END OF THE MONTH VERIZON WIRELESS SENT ME  
A FINAL BILL WITH A 176.00\$ DISCONNECTION CHARGE  
FOR GOING TO A OTHER COMPANY WHO CAN GIVE ME  
SERVICE, I RIGHT AWAY CALLED VERIZON WIRELESS  
AND ASK WHAT IS THE 176\$ DISCONNECTION CHARGE  
I GOT PERMISSION AN THE SUPERVISOR PROMISED ME  
TO WAIVE THE DISCONNECTION CHARGE AND I WAS ON  
THE PHONE FOR A LONG TIME ARGUING WITH THE  
CUSTOMER SERVICE REPRESENTATIVE THEN WITH THE  
SUPERVISOR BUT BOTH REFUSED TO WAIVE THE FEE  
THEY OWNED ME MY RIGHT TO HAVE PROPER SERVICE  
AND I VERIFIED ALL THE COMPLAIN'S I WAS MAKING  
AN THEY STILL OWNED ME AN KEPT SENDING  
BILL'S FOR ONLY THIS CHARGE ALL OTHER I WAS UP  
TO DATE PAID EVERYTHING I OWNED EXCEPT THE  
DISCONNECTION CHARGE, THAN THE REAL NIGHTMARE  
STARTED, THEY SENT ME COLLECTION LETTERS ONE  
AFTER THE OTHER AN CALLS OF COLLECTION DIFFERENT  
COMPANY'S AN THEY PUT IT ON MY CREDIT REPORT  
AS A NEGATIVE RUINING MY CREDIT ONE LETTER  
FROM DIVERSIFIED CONSULTANTS, INC. POBOX 551268  
THEY CALLED ME HOME AN CALL DAY AFTER DAY

AND I KEEP EXPLAINING THAT I DO NOT OWE THIS MONEY  
AND THEY INSIST THAT I DO OWE THEM AND I ALSO  
CALLED VERIZON WIRELESS BUT THEY ALSO WERE  
NOT TO HELP OUT THE SITUATION THEN I APPLIED  
FOR CREDIT CARD FROM BARCLYS WHICH I HAVE A  
CREDIT CARD AND OTHER THEY DENIED ME  
BECAUSE OF NEGATIVE INFORMATION ON MY  
CREDIT REPORT FROM EXPERIAN AND TRANSUNION  
THEY HARASSED ME WITH THIS FRAUDULENT CHARGE  
SO LATE AS DEC/07/2018 THEY SEND ME A NEW  
COLLECTION LETTER AND ALSO THEY PUT IT ON  
MY CREDIT REPORT. EVEN THEY ADMIT IN  
SMALL CLAIM COURT THEY REFUSED ME 698\$ FOR  
BAD SERVICE, BUT THE 1764 THEY STILL HAVE IT  
ON MY CREDIT REPORT AND NOW ON 3/1/2019  
I RECEIVE A NEW LETTER WITH A MORE GREATER  
CHARGE OF 341.83\$ AS YOU CAN SEE ATACH COPY  
FROM DYNAMIC RECOVERY SOLUTIONS WITH ADDRESS  
135 INTER STATE BLVD. GREENVILLE, SC 29615  
THE HARASMENT DONT STOP I CANT GET NEW CREDIT  
CARD I LOST ABOUT 3000\$ ON INSURANCES THE HARASMENT  
IS GOING ON STILL TODAY THEIR IS NO END TO MY  
AGGRAVATION FROM THIS FALSE AND FRAUDULENT  
CHARGE IS MY WORST NIGHTMARE CANT SLEEP AT  
NIGHT THIS IS CAUSING ME HEADACKES AND IN  
MIDEL OF THE NIGHT I WAKE UP THINKING OF  
THIS COLLECTION LETTERS I AM NERVOUS AND HAVE  
BAD DAYDREAMS FRIDAY DEC 7 2018 I SPOKE TO THE  
SUPERVISER OF COLLECTION DEP OF DIVERSIFIED

CONSALTANTS, INC WITH THE NAME PERALTA  
ANGELYN AN THEY STILL REFUSE TO REMOVE THE  
DAMAGING INFORMATION WHICH IS FRAUDULENT AND  
FALSE EVEN AFTER REFUNDING THE WHOLE AMOUNT  
OF CHARGES FOR MONTHLY SERVICE SO ON DEC  
13 2018 I CALD VERIZON WIRELESS THEY GAVE ME  
CONFICKTING DATE WHEN MY SERVICE STATED  
AN WHEN IT ENDED ON CREDIT REPORT IT IS WRITTEN  
DEC 1 2016 ~~THAT~~ ANT THEY CLAIM VERIZON WIRELESS  
SHE SAID JAN 07 2018 THEN THEY GAVE ME THE  
DATE DEC 21 2016 AND DEC 27 2017 ALSO  
REPRESENTATIVE CONFIRID THAT I CALD IN ON  
ALL THIS DATES JUN 28 2017, SEP 10 2017,  
DEC 10 2017, OCT 30 2017, DEC 9 2017, DEC  
10 2017, AND ON THIS DATE OF DEC 10 2017  
I HAD A CONVERSATION WITH A SUPERVISER  
THAT I CANOT GO ON LIKE THIS ANY LONGER  
WITH THIS BAD SERVICE AN I AM SWITCHING  
CARRIER BECAUSE OF PHONE DROPS CALLS AND  
PEAPGE ON OTHER END CANT HEAR ME AN SHE  
AGREED THAT I CAN GO TO A DIFFERNT CAREN  
SO ON DEC 27 2017 I WENT TO ATT.  
SO NOW THE RELIEF I AM SEEKING FROM  
COURT IS AS FOLLOWS

1) THAT VERIZON WIRELESS AND ALL THEIR  
COLLECTION AGENCIES STOP THE HARASMENT  
AND AGRAVATING ME WITH THEIR COLLECTION  
AND ERASE THIS CHARGES FROM COLLECTION  
ON MY CREDIT REPORT OF ALL CREDIT REPORTING

AGENCIES LIKE EQUIFAX TRANS UNION EXPERIAN TO REMOVE THE NEGATIVE REPORTING 2. 30,000\$ FOR THE DAMAGES THAT DAY CAUSED TO ME WITH THEIR ACTION OF THIS FALSE AND FRAUDULENT CHARGES AN COLCTION ALL THIS TIME FROM DEC 27 2017 UNTIL TODAY THE COUR SCHOOL ORDER TO REMOVE THE NEGATIVE COLCTION AND REPORTING AND A JUGEMENT IN THE AMOUNT OF 30,000\$ TO ~~YEHUDA HERSKOVIC~~ BE GIVEN TO YEHUDA HERSKOVIC

Dated: 3/26/2019

YEHUDA HERSKOVIC  
Plaintiff

VERIFICATION

YEHUDA HERSKOVIC, being duly sworn, deposes and says:

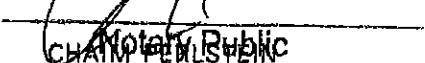
I am the plaintiff in the above-entitled action. I have read the foregoing complaint and know the contents thereof. The same are true to my knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters I believe them to be true.



Signature

YEHUDA HERSKOVIC  
Print Name

Sworn to before me this  
26 day of MARCH 2019

  
CHAMPEON PUBLIC

NOTARY PUBLIC-STATE OF NEW YORK  
No. 01PE6075699  
Qualified in Kings County  
My Commission Expires 06-30-2019

**Note:** Strike *italicized* wording which does not apply.

## VERIFICATION

STATE OF NEW YORK)

COUNTY OF KINGS ) ss.:

YEHUDA HERSKOVIC (your name), being duly sworn, deposes and says:

That I am the plaintiff / petitioner / defendant / respondent in this action / proceeding. That I have read the foregoing \_\_\_\_\_ and know the contents thereof; that the same is true to my own knowledge, except as to matters therein stated to be alleged on information and belief; and as to those matters I believe them to be true.

YEHUDA HERSKOVIC  
Plaintiff / Petitioner / Defendant / Respondent  
(Sign your name before a Notary Public)

YEHUDA HERSKOVIC  
(Print Name)

Sworn before me this 26  
day of MARCH, 2019

CHAIM PERLSTEIN  
Notary Public

CHAIM PERLSTEIN  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01PE5075699  
Qualified in Kings County  
My Commission Expires 05-30-2019

KOSR 02/17